

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MINNESOTA**

In re: Baycol Products Litigation

UNITED STATES OF AMERICA *ex rel.*
LAURIE SIMPSON,

Honorable Michael J. Davis
United States District Court Judge

Plaintiff,

v.

BAYER HEALTHCARE
PHARMACEUTICALS, INC.;
BAYER CORP.; and
BAYER A.G.,

MDL No. 1431
Civil No. 08-5758-MJD-ECW

Defendants.

**[PROPOSED] ORDER
TO MODIFY AMENDED PRETRIAL SCHEDULING ORDER
PURSUANT TO L.R. 16.3**

Based on the parties' Joint Stipulation to Modify Amended Scheduling Order Pursuant to
L.R. 16.3, and having established good cause,

IT IS HEREBY ORDERED that the Scheduling Order is modified as follow:

1. Pleadings and Disclosures

Current: May 13, 2020

Amended: October 11, 2020

All motions which seek to amend the pleadings to add parties or claims must be served and filed on or before this date, and shall include a redlined version reflecting the changes contained in the proposed amended pleading. This deadline does not apply to motions which seek to amend the complaint to add a claim for punitive damages.

2. Discovery and Nondispositive Motions

Current: April 29, 2020

Amended: September 28, 2020

All fact discovery any kind shall be commenced in time to be completed by this date.

Current: May 29, 2020

Amended: October 26, 2020

The identity of expert witnesses must be disclosed in accordance with Fed. R. Civ. P. 26(a)(2)(A) by this date.

Current: June 26, 2020

Amended: November 23, 2020

The written reports of expert witnesses must be served in accordance with Fed. R. Civ. P. 26(a)(2)(A) (B) by this date.

Current: June 26, 2020

Amended: November 23, 2020

The identity of rebuttal expert witnesses must be disclosed in accordance with Fed. R. Civ. P. 26(a)(2)(A) by this date.

Current: August 7, 2020

Amended: January 4, 2021

The written reports of rebuttal expert witnesses must be served in accordance with Fed. R. Civ. P. 26(a)(2)(B) by this date.

Current: September 7, 2020

Amended: February 4, 2021

The identity and written reporters of further rebuttal witnesses must be served in accordance with Fed. R. Civ. P. 26(a)(2)(A) and (B) by this date.

Current: October 30, 2020

Amended: March 28, 2021

All expert discovery including expert depositions shall be commenced in time to be completed by this date.

Current: November 30, 2020

Amended: April 29, 2021

All non-dispositive motions and supporting pleadings (notice of motion, motion, affidavits, exhibits, memorandum of law, and proposed order), including those which relate to fact and expert discovery and any request for extension of this Pretrial Scheduling Order, shall be served, filed and HEARD by this date. Prior to scheduling any non-dispositive motion and following the conference required by Fed. R. Civ. P. 37(a)(1) and L.R. 37.1.

3. Dispositive Motions and Trial

Current: December 30, 2020

Amended: May 31, 2021

All dispositive motions shall be filed by the moving party by this date.

Current: April 30, 2021

Amended: September 27, 2021

This matter will be ready for a JURY trial by this date. The parties estimate they will need 10 days for trial.

Dated: _____

Elizabeth Cowen Wright
United States Magistrate Judge